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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Earl Roger Singleton

Serial No.: 10/647,758

Filed: August 25, 2003

For: REINFORCED SILT RETENTION SHEET)

Examiner: Mayo, Tara L.

Art Unit: 3671

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. § 1.132 BY E. ROGER SINGLETON

I, Earl Roger Singleton, the undersigned declarant, do hereby declare and state the following:

1. I am competent to make this declaration based upon my personal knowledge. I understand that this declaration will be used in the United States Patent and Trademark Office (PTO) in connection with the above-identified pending patent application. I further understand that this declaration is being submitted as evidence that U.S. Patent No. 6,416,674, for which I am the first named inventor, does not qualify as prior art under 35 U.S.C. § 1.102(e), since the subject matter disclosed in the reference was derived from me, the inventor of this application, and is thus not "by another."

2. I am currently the President of Silt-Saver, Inc., the assignee of the entire right, title and interest to both the present application and U.S. Patent No. 6,416,674.

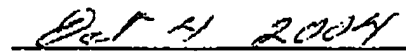
3. I am the first named inventor of U.S. Patent No. 6,416,674 and have full knowledge of the subject matter disclosed therein. Furthermore, I am the sole inventor of the present application and have full knowledge of the subject matter disclosed therein.

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4. I have reviewed the Office Action dated July 6, 2004, including the references cited therein. I hereby state that the subject matter disclosed in U.S. Patent No. 6,416,674 and referenced in the rejection of claims 1-3 of the present application was derived from me and thus is not "by another" under 35 U.S.C. § 102(e).

5. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent issuing on this application.


Earl Roger Singleton


Date

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